HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Procedure and House Affairs

PROC • NUMBER 112 • 1st SESSION • 42nd PARLIAMENT

EVIDENCE

Wednesday, June 6, 2018

Chair

The Honourable Larry Bagnell

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● (1825)

[*English*]

The Chair (Hon. Larry Bagnell (Yukon, Lib.)): Good evening. Welcome to the 112th meeting of the Standing Committee on Procedure and House Affairs.

Our first two panels, we didn't quite get to. We gave them the option of coming back at 8:30 p.m. or sending a written submission. Two are coming back at 8:30 p.m., so we're going to our third panel. We are joined by Vivian Krause, researcher and writer; Gary Rozon, auditor, Gary Rozon CMA Inc.; Talis Brauns, mediation officer, and John Akpata, peace officer, both from the Marijuana Party; and from the Marxist-Leninist Party of Canada, Anna Di Carlo, national leader, national headquarters.

Thank you for making yourselves available to appear.

We will start with you, Ms. Krause. Please make your opening statement.

Ms. Vivian Krause (Researcher and Writer, As an Individual): Good evening, everyone. *Bonsoir*, Mr. Chairman and members of the committee.

[*Translation*]

I will make my presentation in English, but I'll be happy to answer your questions in either language afterwards.

[*English*]

Thank you very much for inviting me to join you this evening to contribute to your work in relation to Bill C-76. My understanding is that you are interested in my input with regard to the issue of undue foreign influence in Canadian elections; therefore, I will do my best to speak to that first.

By way of background, perhaps it would be of interest to the committee for me to introduce myself briefly and to sum up why I believe undue foreign influence in our elections is a serious issue not only for our country but also for the sovereignty of our country.

By way of background, I am a Canadian citizen. I'm a resident of North Vancouver. For the last 10 years I have been following the money and the science behind environmental activism and, more recently, behind elections activism. I have done all my work on my own initiative. I am not funded or directed by anyone, and I've written a series of articles that sum up most of my work published in the *Financial Post* and elsewhere.

As you may be aware from some of the articles I've written, there is a significant extent to which non-Canadian influence had an impact in the 2015 federal election in our country. I reported this extensively to Elections Canada. I would just sum up for you briefly that there are at least three U.S.-based organizations that have claimed credit for having had a significant influence in the 2015 federal election. Two of these are Corporate Ethics International, based in San Francisco, and the Citizen Engagement Laboratory, based in Oakland, California.

How do we know these American organizations influenced the outcome of the 2015 federal election? Well, we know this because they've told us in writing. I'll cite one example.

In the 2015 annual report of the Online Progressive Engagement Network, which is part of the Citizen Engagement Laboratory, its executive director, referring to the year 2015, wrote:

> We ended the year with...a Canadian campaign that moved the needle during the national election, contributing greatly to the ousting of the conservative Harper government.

That's a written statement by the executive director of a non-Canadian organization. How do they do that? Well, the Citizen Engagement Laboratory has a project called the Online Progressive Engagement Network, OPEN for short, and it had a program called strategic incubation. That program helped to create, launch, and back behind the scenes a Canadian-based organization called Leadnow, based in Vancouver.

Leadnow, with the support of OPEN, ran a "get the vote out" campaign in the 2015 and 2011 federal elections. In the 2015 federal election in particular, they ran a campaign that targeted Conservative incumbents in 29 ridings. In some of these ridings, it stands to reason that this group had an impact. For example, in Winnipeg, in the Elmwood—Transcona riding, where Leadnow had full-time staff for more than a year, as far as I'm aware, the incumbent was defeated by only 61 votes.

Bill C-76 aims to close some of the loopholes that have allowed non-Canadian influence in our federal elections. I understand that a lot of work has gone into the preparation of this bill, and as a Canadian I would like to acknowledge and thank everyone who's worked so hard on it so far. I regret to say, though, that unfortunately I think with the way the bill stands today, what happened in the 2015 election would be able to occur and reoccur. I don't see that this bill has been changed in the ways that would be needed to deter and in fact make illegal what happened in 2015 and keep it from happening again.

Specifically, I would refer the committee to proposed section 282.4 under "Undue influence by foreigners". It's paragraph 282.4 (1)(b) in particular that I think needs some work.

I'll leave it at that as my opening comments, Mr. Chairman, and I would be glad to answer any questions that you may have.

● (1830)

The Chair: Thank you very much. That was great.

Now we'll go to Mr. Rozon.

Mr. Gary Rozon (Auditor, Gary Rozon CMA Inc., As an Individual): I'm Gary Rozon. I'm an independent auditor. I work, obviously, independently. I work with all parties. I think I have a client or two in this room right now. I've been doing this for over 10 years. Before that, I worked at Elections Canada, so I have a perspective of how things work from the inside.

One of the things on which I've always thought the punishment didn't fit the crime is the issue of making people and agents go to court to file extension deadlines.

For those of you who don't know, after an election, for example, you have four months to file. After the four-month deadline, you have to have either filed or asked for an extension from Elections Canada, which is usually always granted. If you are late and you don't have your paperwork in or you didn't file the extension, you have to go to court to get an extension. This is costly, in the $4,000 to $6,000 range. I'm sure that some of you, as members of Parliament, may not even know. You trust your financial agents and your official agents to handle the money, and for the most part, they do a very good job, but sometimes—human nature—it slips. They forget the deadline. They have to go to court, and the costs are in the $5,000 range and more. For some of the major parties that have the cash or the riding associations or the campaigns that can pay this, it's the cost of doing business, but the same rule applies to people running independently who hardly spend any money, or to someone from the smaller parties who might have raised a couple of thousand dollars. For them to be hit with a $4,000 or $5,000 penalty, as I said, the penalty exceeds the crime.

The same applies to the riding associations that had the May 31 deadline. I've been working with them. It's always a rush for those who forgot about the date. If you have new agents, the dates aren't burned into their brain like they are with some of the rest of us who do this all the time.

One way to get around it, I would suggest—and I've suggested it with some of the agents I've been working with for years—is that in the matter of a campaign, where you're getting back 60% of your spending from Elections Canada.... To make round numbers, if you spend $100,000, Elections Canada is going to give you back $60,000. I'll say that you motivate people the best way you can, and for most people, that's money.

I would do away with the court side of things. I would say that if they did four months, they needed an extension, they got it, they got an extra 30 days, and they still couldn't file after a few days, don't send them to court. I would say to take 10% off every month. Instead of 60%, it would be, "No, you missed the extra month and you're now getting 50%. You missed another month? You're now getting 40%." That paperwork would get filed faster than any court would ever do.

I'm not going to mention names, but I know that one person in this room had to go through that with their riding association. The file went into Elections Canada. The agent didn't know that Elections Canada puts the "dead" in "deadline", and he thought, "Close enough."

Everybody is pointing.

Voices: Oh, oh!

● (1835)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): I feel like it's a murder mystery now.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): To be clear, everybody in the room is looking at me.

Mr. Chris Bittle (St. Catharines, Lib.): Let the record show, Mr. Chair.

Mr. Gary Rozon: That's why I didn't name names.

To me, it's just crazy. In the one case that I'm speaking of, he got the paperwork in. He was in the Elections Canada mailroom, but they flat out refused to open it until they.... He had to go to court. The judge is like, "I went to law school for this?" He got the court order. Then it came to Elections Canada, and they opened it. It just seems like overkill. That's the main thing. It's equal until it gets down to the little guys. They're being asked to pay $4,000 or $5,000, as well. It's overkill. If this ever goes back to Elections Canada, I hope they take advantage of that.

My other totally self-serving item is this. Over the years, we've all seen the indexing of campaign spending limits for elections. We've all seen the indexing of contribution limits, which I'm sure some of you totally appreciate. They have not indexed the Elections Canada subsidy in about 15 years. Every year we are asked/told to do more, and with inflation we're getting less. That ends up going back onto your riding associations and your campaigns, when there is more audit work that has to be done before going to elections.

That's my semi self-serving.... The main thing is that I wish we could do something to keep these kinds of things out of the courts.

Thank you.

The Chair: Well, thank you.

I can assure you Elections Canada is watching this very closely, so I'm sure they'll give that due consideration.

We'll go to Anna with the Marxist-Leninist Party.

Ms. Anna Di Carlo (National Leader, National Headquarters, Marxist-Leninist Party of Canada): It's the Marxist-Leninist Party of Canada.

Esteemed members, I'm very happy to be here.

I'll start by saying I'm quite familiar with the election law, and I have been since about 1991 when we had the Spicer and the Lortie commissions, the last time that any really serious study of the electoral law was done.

We also have a lot of experience being on the receiving end of the unfair and undemocratic aspects of the law since 1972, when we started participating in elections.

In our opinion, Bill C-76 is a missed opportunity. It missed the opportunity to uphold democratic principles and to contribute to alleviating the perception we have today that party governments don't have the consent of the governed. It did nothing to address how the electoral process and electoral results themselves don't inspire confidence that a mandate that is supported by the majority of Canadians has actually been achieved.

I'd like to highlight just two problems today, because of the brief amount of time we have. One is the right to an informed vote and the need to have equality of all those who stand for election. The other is the matter of privacy.

The unequal treatment of candidates results from the privileges accorded to the so-called major parties, and it violates the right to an informed vote. We're told that we have political equality because of an even playing field that is supposed to be created by the fact that everybody has to meet the same criteria. For example, everybody has to do exactly the same things to become a candidate. Everybody has to respect the spending limits and so on. On top of this, we're told that public funding mitigates the inequalities we have.

All of this is meaningless when privileges are accorded to some, and the rationale is presented that only the so-called major parties are considered to be contenders for government, and that therefore, only they deserve to be heard. Others are dismissed as being fringe or incidental. This is not democratic by any standard. The only ones who see these arguments and don't see that they're undemocratic are those who are passing laws.

Canadians see it for what it is: a violation of fundamental democratic principles that exacerbates the crisis of credibility and legitimacy of both the electoral law and governments.

I'd like to give just one example of how this time around we could have taken the opportunity to address this problem. For over 17 years now, the Chief Electoral Officer has been recommending that the allocation formula in the law be removed from the privileged status now in the formula that's in the law, and instead that allocation be on an equal basis, particularly the free time. I sit on the advisory committee of Elections Canada, and I attend the broadcast meetings, and this very simple recommendation that the free time should both be increased and allocated equally has been rejected repeatedly for 17 years because, as has been said, it needs to be referred to study.

In the next election, we'll face the same situation in which, first of all, the parties in the House will have the majority of time, and within that, the Liberal Party—the ruling party—will have the lion's share of that time, while the smaller political parties get a token, not to mention all the complications with the airing of it.

The second point I'd like to make relates to privacy. We stand with the Privacy Commissioner in believing that political parties should be subject to the law. We see no reason why they shouldn't. I want to highlight the hypocrisy in this, because even if political parties are subject to the privacy law and PIPEDA, the election law itself, in our opinion, violates the right to privacy.

The election law does not recognize the right to informed consent, in our opinion. In 2006, the Conservative Party, when it was in the vanguard of micro-targeting with its constituent information management system, used the power that it had at that time, although all the parties agreed, to introduce unique, permanent identification numbers for electors, and to introduce bingo cards, the practice of Elections Canada workers that replaces the work that was once done by scrutineers to inform the political parties as to who has voted when. They don't tell them how they voted, but with data analytics, we're very close to that situation.

● (1840)

The Conservative Party wanted the ID numbers so as to make data integration and micro-targeting easier. The bingo cards were designed to address the problem of not having enough volunteers, which is a problem that all political parties are facing. In our opinion, again, this violates the principle of informed consent. It is just wrong. Electors should have the right to not have their unique ID numbers handed over to political parties to facilitate uploading their information into elector databases. They should also have the right to opt out of having their names put on the bingo cards, so that parties know whether they've voted or not voted.

Finally, I want to make a different point about these developments. Privacy is one concern, but the significance of this development in campaigning, which involves tracking electors and building profiles about them, is of greater concern to us. In our opinion, it does nothing to raise the level of political discourse in the country. It's not enhancing the involvement of people in the political process. The privacy debate, which is focused on things such as the Cambridge Analytica scandal or Facebook and how it's being used, clouds precisely how micro-targeting is impacting the process and particularly how it relates to political parties fulfilling their purported role of being primary political organizations and being the organizations through which people are involved in debating and discussing the problems facing the society, and in deciding the agenda and policies the society needs.

Our conclusion is that these developments, along with the fact that there hasn't been a serious study of what's going on in the electoral process since 1991-92, requires that we have public deliberations on all the fundamental premises of the electoral process to renew it once again: how mandates are arrived at; how candidates are selected; the use of public funds; and the fact that all people and all members of the polity, regardless of whether or not they belong to a political party, should be treated as equals.

How do we achieve this? Our position is that funding the process should take priority and should replace funding political parties. We think political parties should raise funds from their own members and not be recipients of state funding. So long as state funds are allocated, they have to be allocated on an equal basis. Otherwise, we have a situation where power and privilege are influencing the outcome of elections.

Those are the opening remarks I wanted to make.

● (1845)

The Chair: Thank you very much. You can rest assured that you've brought some views to us that we haven't heard before.

We'll go to Mr. Brauns from the Marijuana Party. Hopefully, we're making you obsolete.

Some hon. members: Oh, oh!

Mr. Talis Brauns (Mediation Officer, Marijuana Party): [*Witness speaks in Latvian*]

I am Talis Brauns. I am a Canadian Latvian born in Montreal. I have spent half my adult life working on foreign aid projects in eastern Europe on the development of non-governmental society and the acquis communautaire program in the European Commission.

Why am I here today? There was a sad incident in my private life that resulted in a deer tick infection, Lyme disease, and encephalitis that affected my family members. In doing research and in contact with the medical community, I began checking out the possibilities of the cannabis plant.

For the last 10 years, I have studied and actively participated in most of the major marijuana court cases. With the cannabis act, I see big loopholes and I see lots of opportunities for the Marijuana Party, which, by the way, is the most popular party in Canada.

The Chair: On division.

Some hon. members: Oh, oh!

Mr. Talis Brauns: I'd like to quickly read an article. We are a party of eccentrics. It's kind of like herding cats. We have a full range from orthodox Christians to narco-socialists, and our previous party whip, Marc Boyer , only had a statement of birth and with that he was able to become a candidate and an officer of the Marijuana Party. He did not have a driver's licence. He did not have any bills to his name. His father was a municipal accountant who in World War II served in the Canadian Forces. With the end of the war and the turmoil in the British Empire, the king promised the officer corps that their children would not be liable for the war debt.

At the age of 65, Marc requested his pension and it went from the pension office to the Prime Minister's Office, to the Speaker of the House, and right now I believe it's on Brigadier-General Rob Delaney's desk. He's the Canadian Forces provost marshal.

Another extreme in our party is the futurists. These are computer literates who want to be able to have direct democracy, to be able to vote with their phones, to have electronic online identification as in the Estonian model, which I am aware of and well versed in.

I would like to read a small article. It's called "Persons For Idiots", "The Tender for Law: Persons for Idiots", (c) 2014, Rogue Support Inc., under a Creative Commons attribution-noncommercial-noderivs. 3.0 unported licence:

> All of you reading have, at one point or another, encountered the term "PERSON". After very little investigation, you are forced to accept the realization that you are not a PERSON, rather you HAVE a PERSON. This distinction is the first "lie of ommission" that you will encounter in the world of the "LEGAL". THE TENDER FOR LAW axiom "LEGAL=SURETY AND ACCOUNTING" makes navigating "law" a lot simpler, and it's very easy to spot the lies of ommission/ambiguity.
>
> You did not create this PERSON and it has nothing to do with you. THIS ONE FACT is lost on most, and can lead to JOINDER if you are not careful.
>
> When asked if you are a PERSON, some of you will answer that you are a NATURAL PERSON. This is a really dumb thing to claim in COURT because you are making several DECLARATIONS by saying so! First, you are DECLARING that you are in their JURISDICTION. Not only are you DECLARING that you are in their JURIDICTION, but you are also DECLARING that you do NOT enjoy LIMITED LIABILITY. This, of course, means you have 100% SURETY. Let me say that again: If you DECLARE in COURT that you are a NATURAL PERSON, you DECLARE that you accept 100% SURETY. NATURAL PERSON = "picking up the tab". INDIVIDUAL=SURETY

This is something that comes from the futurists. It was penned by someone who has run for public office in the city of Toronto. He has two trust law degrees and for five hours gave me a dressing down, accusing me of being a complete fraud whose attempts to represent the public would not be to the good.

This is my situation.

Thank you for inviting me.

● (1850)

The Chair: Thank you all very much for coming.

Now we will do some rounds of questions from the parties.

We will start with Mr. Simms.

Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.): Thank you, Chair.

Ms. Krause, I was very interested in the example you gave. That's why I like doing this exercise of bringing in witnesses, because we get to hear examples we have not heard before.

I know of Leadnow. I don't know about the company in California. You made the statement that they would not be captured under the new bill we're studying here today. In this new bill, however, one of the few things we're attempting to do is to look at partisan activity, election spending, and election surveys, expanding the definition of what they were before. On foreign parties, in the case of the company in California, what specific activities were they involved in with Leadnow? Of those three categories, was there one or all?

Ms. Vivian Krause: Could you remind me of the three categories?

Mr. Scott Simms: They are election activity—basically events of that nature; specific advertising, whatever form it may be, through whatever media; and of course, election surveys, expending to get information from within.

Can you drill down on how they were involved?

Ms. Vivian Krause: This is the thing. The way that foreign influence is occurring is by having most of its impact outside of the election period. By the time the writ is dropped, they have accomplished so much.

Mr. Scott Simms: I'll get to that in a moment, but I want to get back to the activity they were doing. I just want to figure out exactly what they were doing, because I know what Leadnow was doing.

Ms. Vivian Krause: I can't tell you exactly what they did during the election period, but I can tell you the types of things that they do.

Mr. Scott Simms: Leadnow or the company in the U.S.?

Ms. Vivian Krause: The American organization. It's a charitable organization.

As far as I can tell, this American organization is the parent organization of Leadnow.

Mr. Scott Simms: Oh, I see.

● (1855)

Ms. Vivian Krause: It's called the Citizen Engagement Laboratory, and it has a program called the Online Progressive Engagement Network.

Mr. Scott Simms: Do they consider themselves as having—pardon the expression—given birth to Leadnow?

Ms. Vivian Krause: They have a program called strategic incubation. The executive director is an individual named Ben Brandzel. He came to Canada and worked with Leadnow here to help them with the launch. His organization, OPEN, provides a number of types of assistance. I can give you a couple of examples, if you give me a minute.

Mr. Scott Simms: Yes, absolutely.

Ms. Vivian Krause: There are a couple things about OPEN. This is the American organization that appears to me to be the parent organization of Leadnow. They say they work seamlessly across borders. They say in writing that they keep a low profile because of the sensitive political implications of their work. They say they provide "special access to best-in-class external resources ranging from video production to management coaching".

Mr. Scott Simms: I'm sorry to cut you off, but I don't have a lot of time. I know I just gave you the time, and I'm now taking it back. I apologize.

They say it's seamless activity they're doing between the two, right? In this bill we're trying to pinpoint, become more transparent, and try to catch right there where they're being directly involved in the election. To me it seems that Leadnow is the one that's being directly involved, and the association with the American organization is really—

Ms. Vivian Krause: I would argue that it's a pretty blurry line between Leadnow and OPEN, because they work seamlessly across borders and because of the type of activity that the American organization provides. It's everything from ghostwriting and video production to coaching, strategic support, training, etc.

Here's another example. After the 2015 federal election, in January 2016, the spokesperson for Leadnow, Amara Possian, who is currently running for office in the Ontario provincial election, travelled to Australia where she was given an award by the American organization for helping to defeat the Conservative Party. That's the type of thing they do. It's right from the get-go, from creating the original organization to continuing....

Then, just to give you another example, Canadian members of Leadnow went to Australia to help on the American campaign in Australia. So it's not just Canada.

Mr. Scott Simms: I'm not trying to evade the subject. Don't get me wrong. I'm just short on time, and I'm trying to pinpoint—

Ms. Vivian Krause: The point I'm trying to make is that they're working behind the scenes—

Mr. Scott Simms: When you look at the legislation that we're to put in place, where would you go to make that line less blurry? Where would you go to make sure there's a true delineation between what is a foreign entity and its Canadian counterpart?

Ms. Vivian Krause: That's a very difficult question, but I'll tell you the way I see it.

As I mentioned, it's in proposed paragraph 282.4(1)(b). That paragraph defines a "foreign entity". It says that you're not allowed to influence elections if you are "a corporation or entity incorporated, formed or otherwise organized outside Canada". If you were to end it there, then OPEN and all these other groups would be identified as foreign entities.

The trouble is that it goes on to exclude from that any entities that carry on business in Canada or "whose only activity carried on in Canada during an election period consists of doing anything to influence electors during that period".

In other words, the foreign organization just has to do something —it could be bottle collecting, recycling, anything—so that it's not only conducting election-related activities.

Mr. Scott Simms: I see what you mean.

Ms. Vivian Krause: It's because of the way that is written that pretty much any organization can be exempt.

Mr. Scott Simms: I'm sorry. I wasn't being dismissive of you. I just realized that I'm out of time, but I thank you for that. I appreciate it.

The Chair: Thank you very much.

We'll now go to Mr. Richards.

Mr. Blake Richards (Banff—Airdrie, CPC): Thanks, Mr. Chair, and thanks to all of you for being here tonight.

I'll pick up with you as well, Ms. Krause. I want to ask some questions of a similar nature, but I want to start with this one, because a number of people, you included, have raised these issues about the last election in particular in terms of the concerns about foreign funding, what that might mean, what kinds of implications there might be if something isn't done to try to deal with what might be a problem out there, and what the implications might be for future elections. There has been a lot of talk about the current election in Ontario, which is going on right now, in terms of what might be happening there.

I might get to that in a second, but I wanted to start with this question: would you say it's possible that foreign funding may have changed the outcome of the last federal election?

● (1900)

Ms. Vivian Krause: Is it possible?

Mr. Blake Richards: Yes.

Ms. Vivian Krause: Well, if we do the math, the answer is clearly yes, right? I don't mean for a moment to take away from the efforts of the political party that won, but if you do the math.... Leadnow, for example, takes credit for defeating 26 Conservative incumbents. Well, of course they didn't do that, but as I mentioned, they probably may have had an impact in a few ridings. How many ridings? Well, that depends, but it may have been enough to make the difference between a minority and a majority government.

The important thing to note is that I don't think it's so much.... I wouldn't make that argument, but here's the thing. Basically what they did in the 2015 election was their first crack at it. This was a brand new organization. It was just starting. That's what they accomplished in basically their kindergarten year. What are they going to be able to accomplish in the next election? They managed to engage half a million Canadians. That never would have been possible, I don't think, if they hadn't had the assistance of their American parent organization.

What we have is a system that isn't robust to this sort of outside influence. If we want to deter it, then we need to change our system.

Mr. Blake Richards: Okay.

Obviously, when you talk about the kinds of numbers they are bragging about, it would have had an influence. You're right. It's hard to measure whether what they're saying is accurate or not, but I think the one thing we can do is try to determine to what extent there was involvement by foreign funding. You've obviously taken a pretty good look at this. What can you tell us about that? To what extent...? What kinds of numbers are we talking about here?

Ms. Vivian Krause: I'll give you an example.

This organization, Leadnow, claims that it is the brainchild of two university students and a throughly Canadian youth-led movement, but that is not the whole story. The truth is that their original business plan, which I stumbled across on the Internet, had a $16-million budget over 10 years. That's the kind of scope that they set out to work with from the get-go.

I've spoken with the founders of Leadnow, the individuals who refer to themselves as the founders, Adam Shedletzky and Jamie Biggar. They told me that, yes, they had an anonymous donor. I encouraged them. I said, "Look, you guys, you had a significant influence in the election, so how about talking with your anonymous donor and at the very least telling us whether that donor was Canadian or from outside the country?" I said, "At the very least, clear up that question." No answer was forthcoming.

Mr. Blake Richards: Sure, and I think this goes without saying, but I would love to hear your opinion: is this something we should be worried about? I don't mean just that specific instance you're referring to. I mean the fact that there is the ability for people to give potentially unlimited amounts of money from outside of Canada and there's no way to know who the individual or organization might be. Is that something we should be concerned about?

Ms. Vivian Krause: I think the important point or perhaps one of the most important points I could leave with you is that this wasn't done for no reason. This wasn't done because of how Canada has treated aboriginal people or because of how we've treated immigrants. This was done because of oil.

The American charitable foundations that fund the Citizen Engagement Laboratory, in fact created it. It is funded by the Rockefeller Brothers Fund, the Tides foundation, and other donors who fund an entity called the tar sands campaign.

When this campaign first began 10 years ago, we didn't know what it was about. The motivations of the funders were not clear, but now they are, because the individual who has been directing this campaign for more than a decade, Michael Marx, said, "From the very beginning, the campaign strategy was to land-lock the tar sands so their crude could not reach the international market where it could fetch a high price per barrel."

That is the campaign that has been funding Leadnow. Leadnow was funded and supported behind the scenes as part of the American-funded campaign to landlock our crude and essentially keep Canada over a barrel.

I think the thing that's significant is that this wasn't done for no reason. It was in fact done for the sake of something that's costing us billions.

● (1905)

Mr. Blake Richards: I think the point you're making as well, if I'm not mistaken, is that it wasn't done to try to do anything that would be beneficial or helpful to Canada or Canadians or any group of Canadians, for that matter, but it was simply for the benefit of outside interests.

Ms. Vivian Krause: Yes, it was to defeat the politicians who were in favour of breaking the U.S. monopoly on our oil. That was the reason there was this U.S.-funded involvement in the 2015 federal election.

Mr. Blake Richards: I don't have a lot of time left now, but we'll start on it and we can always continue.

You mentioned proposed new section 282.4. That's something I think we should take very seriously and have a look at. We appreciate your raising that with us. What else needs to be changed in order to properly deal with this threat?

Ms. Vivian Krause: I've given that a lot of thought, and I really struggle to give you an easy answer. I don't think there is one. One thing strikes me, and this is quite different from anything that is currently mentioned in the act. I think a question we need to ask ourselves as Canadians is if we agree that it should be legal, lawful, for Canadians to assist, to support the campaign of a foreign country to harm our own country, or in fact, whether that is something that we want to make illegal. Should it be legal or illegal for Canadians to hurt the economy of our own country to the benefit of another country? That's a muddier question.

If we're okay with that being lawful, then we have nothing to do, but if we're not okay with that, then we have some serious work to do.

The Chair: Thank you very much.

Mr. Cullen.

Mr. Nathan Cullen: Thank you, Chair.

Thank you to our witnesses.

Do you mean for a Canadian to hurt the economy for other Canadians, like a bitumen spill on the west coast would hurt the Canadian economy probably for other Canadians?

You used to work in the farmed salmon industry, right?

Ms. Vivian Krause: Yes, I have, 15 years ago.

Mr. Nathan Cullen: You clearly care about salmon.

Ms. Vivian Krause: Wild salmon in particular, yes, I do.

Mr. Nathan Cullen: That would hurt the Canadian economy, wouldn't it? If, say, somebody advocated from outside of Canada to water down Canadian environmental laws, pipeline regulations, for example, that would be a threat to the Canadian economy, certainly the B.C. economy, wouldn't it?

Ms. Vivian Krause: No, I think that's quite a different issue.

Mr. Nathan Cullen: It is? So weakening Canadian environmental laws set to protect things like wild salmon—

Ms. Vivian Krause: No, hang on. Environmental laws are not an industry. They're the regulation of an industry. You're comparing apples and oranges here.

Mr. Nathan Cullen: No. You said we should make it against the law for anyone to help a Canadian do something that would hurt the economy for other Canadians. If somebody advocated with, say, foreign money to weaken Canadian environmental regulations that would put the Canadian economy at greater risk, that would be doing exactly what you just said.

Ms. Vivian Krause: Sir, weakening regulations is not an industry.

Mr. Nathan Cullen: I know it's not. The oil industry is an industry.

Ms. Vivian Krause: Yes.

Mr. Nathan Cullen: You've done investigations mostly about so-called progressive groups or left-wing groups. Is that right?

Ms. Vivian Krause: I've also looked into many, all of the right-wing think tanks.

Mr. Nathan Cullen: Are you okay with their receiving foreign funds?

Ms. Vivian Krause: I think no matter whether...if it's foreign funding, whether it's in industry or in the charitable sector, no matter what point in the political spectrum it's on, it should be disclosed.

Mr. Nathan Cullen: So you're okay with right-wing think tanks receiving money if it's disclosed?

Ms. Vivian Krause: I'm actually okay with left-wing think tanks receiving money too, but it should be disclosed. The same rules should apply to everyone, no matter where you fall on the political spectrum.

Mr. Nathan Cullen: You said you're not funded by industry.

Ms. Vivian Krause: No.

Mr. Nathan Cullen: You've never taken any speaking fees or anything like that.

Ms. Vivian Krause: When I say I'm not funded, I say that the work I have done I have never been paid to do. I did it starting in about 2006 and—

Mr. Nathan Cullen: Did you work for—

Ms. Vivian Krause: Please let me finish my sentence, sir.

I didn't do any speaking engagements until six years later, so by logic, my work was not funded by industry, seeing that most of it took place before I ever did any sort of speaking.

● (1910)

Mr. Nathan Cullen: But you take fees from industry and that makes it more—

Ms. Vivian Krause: You know, sir, in the last month I've spoken in Fort St. John, Fort Nelson, Kitimat, in your riding, and in Victoria, and I haven't been paid for any of it.

Mr. Nathan Cullen: It's okay to answer the question. If you've received speaking fees from the oil and gas sector and from the mining sector—

Ms. Vivian Krause: Yes.

Mr. Nathan Cullen: —that's okay to say.

Ms. Vivian Krause: I'm happy to say it and I'm proud to say it.

Mr. Nathan Cullen: Okay. It just took a while to get there.

The question is did you worry about the $1.2 million that came from foreign fish farm companies to the B.C. government when it was run by Christy Clark?

Ms. Vivian Krause: Hang on a second here. We're here to talk about Bill C-76.

Mr. Nathan Cullen: Absolutely. We're talking about foreign influence.

You said that as a principle, you have a problem with foreign influence on Canadian political actors.

Ms. Vivian Krause: I think it should be disclosed. Even Leadnow is a progressive organization and as such, it has every right to be part of an international network.

Mr. Nathan Cullen: So what is it they're not disclosing?

Ms. Vivian Krause: What is not okay is for it to portray itself exclusively as a thoroughly Canadian youth-led movement when in fact there's more to it.

Mr. Nathan Cullen: Sure.

Ms. Vivian Krause: It's also part of a U.S. network of organizations that deliberately seek to swing elections.

Mr. Nathan Cullen: So if I go to the website of the Fraser Institute, which portrays itself as a uniquely Canadian institution taking three-quarters of a million dollars from the Koch brothers who have expressly said they want more lenient oil and gas regulations in Canada, is that okay?

Ms. Vivian Krause: The Fraser Institute has disclosed its funding from the Koch brothers, and if Leadnow would do the same, I wouldn't have a problem with that either.

Mr. Nathan Cullen: Are you suggesting Leadnow doesn't disclose to CRA or to anyone else where their funding comes from?

Ms. Vivian Krause: They are not a registered charity and therefore they do not need to disclose that to the CRA.

Mr. Nathan Cullen: So they don't disclose any of where their funding comes from?

Ms. Vivian Krause: They didn't until I asked for it.

Mr. Nathan Cullen: You use strange terms that are—

Ms. Vivian Krause: If they would disclose it, sir, I wouldn't have a problem with that.

Mr. Nathan Cullen: Allow me to finish my question.

Ms. Vivian Krause: —but the problem is they don't disclose—

Mr. Nathan Cullen: You asked me not to interrupt you, yet you seem happy to interrupt me.

Ms. Vivian Krause: —their American funding.

Mr. Nathan Cullen: You say things like "do the math", "they may have", "they probably", "they may have had an impact", "it's reasonable to suggest". Do you have evidence of these progressive groups having had an impact?

Ms. Vivian Krause: As I mentioned, in a riding that is lost by 61 votes, where you have a third party organization that takes credit for having swung the riding—

Mr. Nathan Cullen: Sure.

Ms. Vivian Krause: —and which had staff full time for more than a year, as I said, I think it stands to reason that they may have had an influence.

Mr. Nathan Cullen: You spent time in Kitimat. You'll remember that there was a plebiscite there a while ago on a pipeline. Enbridge, which was sponsored in large part by Chinese oil firms at the time, flew in dozens and dozens of door knockers and leaflets. They bought ads all up and down Highway 16. Hundreds of thousands of dollars were spent, and that was not initially disclosed, to try to sway the voters in Kitimat, B.C. to vote for a pipeline that was in large part sponsored by Chinese oil companies, some of which were owned by the Chinese government.

Can I find the report or the paper you wrote about that foreign influence on Canadian electors?

Ms. Vivian Krause: I don't need to point it out to you. You're telling me about it. Obviously, you read it.

Mr. Nathan Cullen: I see this ambition and this energy for going after people from the progressive side. When there's a clear case of foreign influence in the democratic process here in Canada—

Ms. Vivian Krause: —which is disclosed for the most part. That's why we know about it.

Mr. Nathan Cullen: "For the most part"; that's a generous term.

I find it inconsistent. I like your enthusiasm and your energy for this stuff. It would be really great if you kind of splashed that around to the folks who were pushing for say, oil and gas or pushing for more fish farms in Canadian waters thereby threatening things that you say—and I believe you when you say you care about them. It seems to me if we want to ban foreign influence, which is something that we're trying to put into Bill C-76, we don't get to try to ban it from one side and raise cases from one side. I think it would offer a lot more credibility to this conversation and the discussion if there were some fair treatment of the obvious cases in which foreign actors have played significant roles with enormous amounts of money. The Fraser Institute's budget is $11 million a year. You're concerned about $1.5 million over a 10-year budget and yet something almost tens times that amount draws less concern from you. A little consistency would be good.

Mr. Chair, how am I for time?

The Chair: Time's up.

Mr. Nathan Cullen: Oh, sorry, I had a good question for Mr. Rozon, but I'll come back to it if I have some more time.

The Chair: Ms. Sahota.

● (1915)

Ms. Ruby Sahota (Brampton North, Lib.): I have a follow-up question for Ms. Krause.

I am on Elections Canada's website right now looking at the declaration by Leadnow. It seems to me that they do declare all their contributions. The unions and the individuals are all listed by name on Elections Canada's website. Their involvement in elections is declared, and those individuals who contribute to them are all listed. They have about 6,791 different individuals, and the total amount seems to indicate that about $55 a person was donated to Leadnow in order for them to engage in advocacy for elections.

I'm just trying to get clarification as to what else you would like to see organizations such as them declare.

Ms. Vivian Krause: Well, you've looked at the list. You won't find the name of the Online Progressive Engagement Network. You won't find the name of the Citizenship Engagement Laboratory on that list. They aren't there. They weren't reported.

Ms. Ruby Sahota: Where is the evidence that they have donated?

Ms. Vivian Krause: Sorry, where is the evidence...?

Ms. Ruby Sahota: Where is the evidence that they have donated? You've made this insinuation, but I don't understand where it comes from.

Ms. Vivian Krause: They don't donate. They provide in-kind support, which, of course, would have a dollar value, right?

As I mentioned, my guess is—although I don't know because Leadnow has refused to answer any questions about this—that most of their input, their contribution, and their support related to the 2015 federal election and the 2011 election probably happened outside of the election period. Because these are very well-funded organizations, they can lay the groundwork for influencing an election two, three, or even four years before the election.

That's one of the problems I think we have, that the way the disclosure requirements currently are, these organizations can get around them by getting things done outside of the election period and also by providing the type of support that does not need to be disclosed.

For example, all of the expenses that are related to use of social media, the use of online communication, are not included in the list of costs that need to be included in the disclosure, and in fact, those are the means that Leadnow in particular relied on most heavily. That's one of the reasons those expenses are affected in their disclosure statement.

Ms. Ruby Sahota: I don't necessarily disagree that there are other things that need to be explored and looked at in the future. Some would say that this piece of legislation is quite lengthy as it is, and it needs to cover quite a lot of different areas and undo a lot of what is in the Fair Elections Act, which excluded many people from having the opportunity to vote. We are trying to correct that through this legislation and allow that opportunity. It's not to say there can't be further legislation coming in the future that would have a more robust look at some of these issues that we need to explore further.

Would you say that it would be okay to have another piece of legislation coming in the future, or for this committee to study that and provide recommendations, or are you saying that it must be in this piece of legislation?

Ms. Vivian Krause: I would agree with my other colleague on the panel that this act is a missed opportunity if it doesn't address the issues. Here we are, three years away from—

Ms. Ruby Sahota: Do you agree that it would make the act even lengthier?

Ms. Vivian Krause: I don't think it needs to make it more lengthy. It just needs to tighten up some of the changes that are already proposed.

Ms. Ruby Sahota: Mr. Chair, I am sharing my time with Mr. Simms.

The Chair: Go ahead.

Mr. Scott Simms: Thank you.

Ms. Krause, take a break if you wish.

Mr. Rozon, I'll try to make this short. On the administrative penalties that are talked about here in this particular bill, obviously Elections Canada is seeking more compliance here. It's what they've talked about for quite some time.

What is your opinion on the specifics here in the administrative penalties that are served up in this particular legislation?

Mr. Gary Rozon: Too much stick and not enough carrot. Anyone who is a member here knows that you have financial agents and official agents who run your campaign. As I said, I've worked at elections, and I've worked independently in my own business. They are the oil that keeps this machinery going.

In Elections Canada's mandate, we always want to encourage people to participate in the political process. Sending them to court is not encouraging them.

● (1920)

Mr. Scott Simms: Isn't that what we're doing here, to look at that, but through the pending mechanism? Is that the carrot you're looking for?

Mr. Gary Rozon: The carrot is the money. Everybody can understand the money. No one says, "I'm going to mess up and forget to file." If an agent makes an honest mistake, then a financial hit is one thing and going to court is another. It's cumbersome, and for a lot of people just the mere thought of going to court for anything is like saying, "I didn't sign on for this."

Mr. Scott Simms: In your opinion, how do you make that less cumbersome then?

Mr. Gary Rozon: We keep it out of court. We hit you in the pocket. In the case of your election campaign, the longer you are late in filing, it's just less money on the rebate coming back.

Mr. Scott Simms: Don't you feel legislation is trying to achieve that?

Mr. Gary Rozon: What gets me is the inequity. Some of you have obviously well-financed campaigns and riding associations, and you can afford the money, but, for example, someone in the Marxist-Leninist Party who missed a deadline and has a $5,000 legal fee, doesn't have $5,000.

Mr. Scott Simms: I do appreciate that, but what I'm looking at is a situation where.... You're right about the litigious factor of it; there's no doubt about it. What worries me is the fact that this goes on too far, as you say, but the legislation does go to certain areas that can look at, for example, the Marxist-Leninist Party, and work out something that has run afoul of the law or about to run afoul of the law as written in the legislation, and can be worked out through mechanisms that are currently there with the commissioner.

Mr. Gary Rozon: Agreed.

Mr. Scott Simms: Okay.

The commissioner also has the—

The Chair: Sorry, but your time is up.

Mr. Richards.

Mr. Blake Richards: Can I continue our conversation, Ms. Krause? There are a few other things I want to touch on with you.

The first one was that we've heard a little about collusion and the fact that when you have a variety of different groups out there that could work together and coordinate messaging, it might be a way around some of the spending limits and things like that. I wondered if you had any thoughts on that and whether you see that as a problem, and if so, whether you have any suggestions on what we might do about it.

Ms. Vivian Krause: I think there were 12 or 13 organizations all partially funded by the Tides foundation based in San Francisco, which, of course, is the hub of the tar sands campaign to landlock crude from western Canada. They hired a consultant specifically to review the impact of the, and I quote, "coordinated efforts" of the various groups in the federal election.

I drew it to the attention of Elections Canada. They interviewed me as part of an investigation last September, and one of the things I mentioned was that you might want to speak with this consultant. Obviously, if she was hired to evaluate the coordinated efforts of multiple groups in the federal election, then chances are they were coordinated efforts. It would be interesting to speak with that person and find out what the coordinated efforts were and their impact.

Mr. Blake Richards: That leads into the next question I wanted to ask you. Do you think Elections Canada is doing enough to enforce the laws that we currently have in making sure that this stuff is being investigated and prevented?

Ms. Vivian Krause: I'm glad you raised that because here is what happened. I spent four hours with the investigators from Elections Canada in September, and one of the conclusions I came to at the end is that Elections Canada can't do its job of keeping foreign money out until the charities director at the Canada Revenue Agency does its job of ensuring that there is compliance with the Income Tax Act in enforcing the law with regard to the Income Tax Act.

All we have now is a problem of what I would call shell charities. These are charities that serve no other purpose than to Canadianize and legitimize money from outside Canada. They also serve a variety of other purposes, none of which are charitable, and as far as I can see all have to do with enabling the provision of receipts for tax-receipted donations for a charity that never happened. They're charities that should be shut down by the CRA, and I could give you examples of dozens of them.

Just to give you one example—

● (1925)

Mr. Blake Richards: Sure, if you can do that very quickly.

Ms. Vivian Krause: One is called the DI Foundation. That's the name of it. The DI Foundation has only ever done one thing—only ever one thing—and that was to receive money from the Tides Canada foundation, pass it to the Salal Foundation, which then funds the Dogwood Initiative, which is one of the most politically active organizations in Canada. The Dogwood Initiative, by its own admission, is so political that it doesn't qualify as a registered charity, and yet over the years it has been funded by 10 registered charities, including Salal and the Tides Canada foundation.

I would put to you as a committee that the DI Foundation should be closed along with all other shell charities that are legitimizing, Canadianizing, money from outside of Canada. If they are allowed to go on, then Elections Canada really can't do much about their funding.

Mr. Blake Richards: I wanted to ask you about this. In the bill, there's this new pre-writ period, where there is regulation on foreign funding and things like that of these advocacy groups, and spending limits put on them. That starts on June 30 of a fixed-date election year. Everyone knows that's when it starts, so what you do outside of June 29 is a different story, right?

Do you think that is sufficient that that is still wide open? Also, what about the idea of contribution limits for these third party groups? Similar to what is done for political parties, they make a choice to participate in our elections. Should they then be making the choice to fall under the same kinds of rules as the political parties that have made that choice?

Ms. Vivian Krause: I'll give you a quick answer to your first question. I don't think it would be practical to make the election period long enough to keep out foreign money. Practically speaking, in the case of the previous election, you'd have to make it a two-year period, or something like that. By their very nature, the groups that we saw funding third parties from outside of the country in the previous election are deep-pocketed. These foundations have billions of dollars in assets. They give away billions every year. They have virtually unlimited funding, so they can easily put their money in a year or two in advance.

Mr. Blake Richards: That's a problem, right?

Ms. Vivian Krause: I don't think that lengthening the period is the way to restrict that. I think another approach is needed.

The Chair: Okay.

Mr. Blake Richards: I'd like to clarify something, because I think it was misconstrued a little bit.

The Chair: Okay, do it really quickly.

Mr. Blake Richards: I wanted to say I wasn't necessarily advocating the idea of lengthening that period. What I was asking you was this: do you feel it is going to fix the problem by having this June 30 date?

Ms. Vivian Krause: No, not at all.

The Chair: Okay, thank you.

Mr. Blake Richards: Did you want to respond on the idea of the contribution limits?

The Chair: No, no, no.

Mr. Blake Richards: Well, I did ask the question and she didn't have a chance to answer it.

The Chair: We only have a couple of minutes left.

Mr. Bittle.

Mr. Chris Bittle: Thank you so much.

Ms. Krause, I appreciate your coming here, and I appreciate your efforts and the work you're doing to keep foreign money from influencing Canadian elections.

I'd like to build on what Mr. Cullen was talking about, that you really only see it on one side of the spectrum. I'd never heard about this before today. There seems to be a website, maybe it's even a newspaper, called *Alberta Oil Magazine* It seems to be very pro-Alberta oil, based on what I'm looking at. They ran an article entitled, "It's Time for the Energy Industry to Ignore Vivian Krause". Would you care to comment on that?

Ms. Vivian Krause: I can tell you, sir, that if I found on the right side of the political spectrum any sort of multi-million-dollar campaign trying to target a specific industry, let alone one of the most economically important industries of our country, I'd have no hesitation in shining a light on it. But I have found no such thing and that is why—

● (1930)

Mr. Chris Bittle: Why does this pro-oil industry website, which you would think would want to get rid of eco-terrorists and progressive think tanks, say it's time to ignore—

Ms. Vivian Krause: Sir, if you'd done a little more reading, you would know the individual who wrote that has said he's funded by the *Vancouver Observer*, which is in turn funded by the Tides foundation. In other words, he's receiving money as part of...or he has said he has, anyway. His name is Markham Hislop.

Mr. Chris Bittle: I guess everyone's receiving money from somewhere in this relationship, so—

Ms. Vivian Krause: No, that's not at all the case.

Mr. Chris Bittle: Thank you so much for your testimony.

The Chair: Thank you very much, witnesses. We really appreciate your coming.

We will quickly change to our next witness, because we have a vote in 15 minutes and we want to at least hear his opening statement. We're not going to suspend; we're just going to carry right on.

Colleagues, we're pleased to be joined now by our next witness, Marc Chénier, general counsel and senior director, legal services, from the office of the Commissioner of Canada Elections.

Unfortunately, the commissioner was not available, but we're delighted that Mr. Chénier is here. We have lots of interest in the commissioner's role in this bill.

Thank you very much for coming. I'm sure we'll have some good questions.

[*Translation*]

Mr. Marc Chénier (General Counsel and Senior Director, Legal Services, Office of the Commissioner of Canada Elections): Thank you, Mr. Chair.

The commissioner has asked me to send his regrets for being unable to attend today's session. I am pleased be here today in the context of your study of Bill C-76.

This bill contains measures that stem from recommendations that were previously made by both the commissioner and others. Among these extremely positive measures, the System of Administrative Monetary Penalties, eliminating the requirement for prior approval in order to lay a charge and the power to ask for a court order to compel witnesses.

In addition to these changes, there are a number of other elements that are of particular interest to us.

First is the return of the commissioner to within the Office of the CEO. This change would be beneficial because our work is closely tied to elections. We would be able to enhance our ability to fulfil our mandate by maintaining better contact with those responsible for the election machinery.

[*English*]

We are happy to see that the important safeguards in Bill C-23 to protect our office's independence have been kept in this bill, including the statement that our investigations be carried out independently, a fixed term for the commissioner with removal only for cause, and his status as deputy head for human resources.

With respect to the third party regime, the commissioner asked that I report that a review of complaints about third party activities during the last general election has been completed, and that we have not found any evidence of illegal collusion, coordination, or foreign influence. However, the narrow regulation of third parties under the current act has limited our examination. Third parties now carry out opinion polls, conduct canvassing activities, and hold events. To date, provided they are carried out independently from parties and candidates, these activities are unregulated. Thus, the bill makes significant progress toward levelling the playing field for electoral participants.

Our office has a few suggestions for improvements. First, the bill would require a third party to identify itself in a tag line on its advertising messages; however, a third party can be a group that is formed only for one election, and its name alone may be meaningless. This is not consistent with the goal of transparency sought by the act, and also causes enforcement difficulties. Some provinces require third parties to provide a telephone number or address in their tag line, and the committee may wish to consider requiring this of third parties.

● (1935)

[*Translation*]

Furthermore, we generally support provisions to provide tools allowing us to deal with new challenges to elections. This includes new offences related to cybercrime and misleading communications, as well as clarifying the offence for foreign inducement and for false statements about candidates and party leaders.

On that last point, I note that the clarifications related to these two provisions of the act are not as broad as what had been endorsed by the committee in its 35th report.

[*English*]

In the case of false statements about candidates and leaders, allegations of criminality and about a few personal characteristics would give rise to the offence. In our view, this is not sufficient to protect the integrity of our elections against false claims that can have a devastating impact on a campaign.

While courts have recognized that false allegations concerning moral turpitude are currently covered, this would be lost if the bill is adopted as is. At a time when false news has become a pressing concern, weakening one of the only provisions that protects our democratic process against false allegations may not be advisable.

With respect to undue influence by foreigners, one of the ways of exerting such influence would be to make a false statement about a candidate or leader. Again, this is much more limited than what the committee had endorsed. The commissioner continues to believe that any false information disseminated by a foreigner purposefully to influence a Canadian election should be prohibited.

[*Translation*]

Finally, I would point out that the commissioner supports the suggested amendments put forward by the acting CEO. In particular, as our office suggested to Elections Canada, a circumvention offence should be added to prohibit attempts to go around the ban on foreign funds being used to finance third-party activities. It is also important that the specific intent element be removed from the cybercrime offence.

Information about the amendments recommended by the commissioner is included in the chart that was distributed to the committee.

[*English*]

In conclusion, there are many useful elements to this bill. The commissioner has asked that I mention that there will nevertheless always be limits to what can be accomplished in some cases. While Canada has agreements with some countries to carry out investigations beyond our borders, there are others with which co-operation will be impossible.

That said, we are working with our government security counterparts to minimize such barriers.

[*Translation*]

I will be pleased to answer your questions.

Thank you.

[*English*]

Mr. Nathan Cullen: On a point of order, Chair, I'm sorry to interrupt, but I would like some clarification. Initially, we made an offer to some of the witnesses who came earlier to come back at 8:30 or whenever we get back to this. I'd like to confirm whether that's happening.

The Chair: Two of the witnesses said they would come back. Yes.

Mr. Scott Reid: May I ask which two?

An hon. member: Is that going to make a difference as to whether you come back?

The Clerk of the Committee (Mr. Andrew Lauzon): Mr. Turmel and Brian Marlatt are the two who said they'd be back.

The Chair: Okay. We don't have much time, as we're going to have a vote soon.

Mr. Graham.

[*Translation*]

Mr. David de Burgh Graham (Laurentides—Labelle, Lib.): Thank you, Mr. Chénier, for being with us today.

I saw that you were present when the previous panel of witnesses appeared a few minutes ago.

Do you think that Ms. Krause's allegations are credible?

Mr. Marc Chénier: As I said in my presentation, our investigation is closed. We did not identify any breach of the Canada Elections Act. Currently, the act is mainly focused on election advertising. That said, for all of the other activities a third party might engage in, there is no regulation unless expenses were coordinated with a party or a candidate. In that case, a contribution would be made to that party or candidate. We did not, however, find any proof that there was such a coordination of expenses.

Mr. David de Burgh Graham: Can you speak to us briefly about the direct consequences of Bill C-23, following which you no longer reported to Elections Canada but to the Public Prosecution Service of Canada? What were the effects of this change?

Mr. Marc Chénier: That did not change our work in any way. Our mandate is still the same. We still functioning at arm's length to the CEO, to the director of public prosecutions, and to the government. In that way, things have not changed.

However, there were negative consequences at the administrative level. It has become more difficult to keep up to date with regard to what is happening at Elections Canada. There have been a lot of personnel changes and we lost the contacts we had before among Elections Canada representatives. When we conduct an investigation, it is important to be able to communicate with those contacts to obtain answers quickly. I assume that the fact that we lost those contacts may diminish our ability to react to crisis situations during elections.

● (1940)

Mr. David de Burgh Graham: Was the lack of power to compel witnesses to testify an issue for you?

Mr. Marc Chénier: We had to interrupt some of the commissioner's investigations because it was impossible to obtain the evidence we needed. In the political world, there are often allegiances. People provide mutual support to each other and that is normal. An example comes to mind: it often happens that employers do not give their employees three hours so that they can go and vote, despite the fact that this is a legal requirement. We get the sense that the employer exerts pressure on the employees to get them to withdraw the charges. The employees are very reluctant to take part in our investigation. If we had that power, that could encourage them to be more open. They would then say that they didn't have a choice, and that a court order forced them to testify.

Mr. David de Burgh Graham: Does Bill C-76 give you the power you need in that context?

Mr. Marc Chénier: The power to obtain a court order to compel someone to testify is enough.

In fact, the Competition Bureau has a similar power, but it does not need to use it often. The simple fact of suggesting that it will use it encourages people to speak.

This power is a part of our tool kit and could be very useful in the future.

Mr. David de Burgh Graham: I have a question on a particular case. Yesterday, we spoke to the Conservative Party lawyer, Mr. Arthur Hamilton. I don't know if you heard that discussion. The lawyer of the Conservative Party was present during the Elections Canada testimony about robocalls, but he said that the Conservative Party was not involved in that.

In that case, why would a third lawyer be present at the interviews conducted by the investigators of the Commissioner of Canada Elections?

Mr. Marc Chénier: I intended to speak about that aspect in my statement, but I had so much to say that I dropped that part.

As for your question on that particular case, unfortunately I cannot speak to the details of an investigation or a complaint we might have received.

Mr. David de Burgh Graham: Very well.

You suggest we forbid the publication of false statements about a candidate by a foreign entity. How could we enforce that? If someone from outside the country says something against someone in Canada, what can we do about it? It's all well and good to say that that is illegal, but would we have the power to prosecute? Could we send something to INTERPOL? What would happen?

Mr. Marc Chénier: As I said in my statement, that is certainly a challenge for us. All investigative organizations face this type of challenge on issues of territoriality or extraterritoriality. In certain serious cases, countries come to an agreement to obtain help in investigations that are conducted outside their national borders. It would then be possible to obtain information to conduct an investigation. In certain other cases, it would not be possible. You have only to think of what happened in the United States. Some states may do this kind of thing, but the state does not take part in the investigation. These are challenges.

I note that the bill contains a provision that prohibits collusion that would allow a foreign entity to exercise undue influence. So, if someone in Canada had taken part in such an offence, he could be arrested and charged.

Mr. David de Burgh Graham: You submitted about 10 amendment proposals. Are there any you would like to address in particular?

Mr. Marc Chénier: The commissioner believes that the recommendations contained in the 35th report of the committee, which discussed section 91, regarding false statements about candidates and leaders, as well as the provision concerning undue influence by foreign nationals, are the best indication of what could be a problem in a world where false news has become a real and acute problem. He strongly encourages the committee to review the recommendations it made to the House of Commons and to consider whether it would be worthwhile to proceed with those.

● (1945)

Mr. David de Burgh Graham: My time is up.

Thank you very much.

[*English*]

The Chair: Mr. Reid.

Mr. Scott Reid: Thank you. Just to be clear, it's still seven minutes?

The Chair: Yes, but if the bells start, if people agree, we'll try to stay and get in at least one round.

Mr. Scott Reid: Yes. That's certainly agreeable to me. It would be unfair to get in my seven minutes and then cut off Mr. Cullen at that point, although I know that everybody else in the room would like it.

Voices: Oh, oh!

Mr. Scott Reid: I want to start by asking about a suggestion. We don't use the term "moral turpitude" very much. That effectively means, I assume, that someone makes an accusation, falsely, that I'm guilty of a criminal act, or I have the kind of character that would lead me to be a habitual criminal; i.e., Scott Reid may not have committed an axe murder, but he's the kind of guy who probably would if he had the chance. That's what you're talking about, right?

Mr. Marc Chénier: In the limited jurisprudence we have on the existing section 91 about false statements about candidates, the courts have recognized that it would include such things as allegations about criminality, which the bill does address, but also something else that they call "moral turpitude". You're right. It is a soft legal concept. It's more recognized in the United States in the immigration context. Even then, in the United States it's very much limited to criminality, so some crimes have a high level of moral turpitude.

In the way it's applied in Canada with respect to section 91, it involves some serious character flaw or something about the character of the person that is problematic and untenable. That's the way the jurisprudence has described it.

Mr. Scott Reid: It has to be about my character and not my fitness for office. Saying that Scott Reid is so unbelievably stupid that he can barely get himself out of bed in the morning, let alone be a member of Parliament, while insulting, would not fall into that category.

Mr. Nathan Cullen: That was totally inaccurate.

Voices: Oh, oh!

Mr. Scott Reid: I was just reading from the Liberals' campaign literature from the last election. I'll share it with you after.

Voices: Oh, oh!

Mr. Marc Chénier: I think the courts have been very careful in excluding typical political spin from what is captured by section 91. They require a very high threshold, and it's totally incompatible with the role of an MP.

Mr. Scott Reid: Okay.

As I understand it, you are suggesting we add essentially if we make suggestions about somebody's attitudes, a suggestion that a person is essentially guilty of not exactly hate speech but of having the kinds of attitudes that would lead them to do it: Scott Reid is a racist and a sexist; he fundamentally hates—whatever; fill in the blank. This is where the issue arises.

Mr. Marc Chénier: I think it would be to that level or it could be even a little higher. I will quote the wording the committee endorsed, "Views or behaviours fundamentally inconsistent with what is generally expected of an elected official, or feelings of hatred, contempt for or deep-rooted prejudice against an identifiable group".

Mr. Scott Reid: That's what we recommended.

First of all, do you have suggested wording that ought to be used? This is not legislative language. You wouldn't have much time, but if you could get back to us, it would be helpful.

● (1950)

Mr. Marc Chénier: Probably the drafters at Justice would be helpful in that sense. We can definitely look at it and try to suggest something to the committee.

Mr. Scott Reid: Looking at that—I'm commenting on our own report— I think two different things are being addressed there. "Views or behaviours fundamentally inconsistent with what is generally expected of an elected official," is one thought, and "or feelings of hatred, contempt, or deep-rooted prejudice against an identifiable group"....

The first is fuzzier. I have to admit I have some reservations myself about that. The second one is very clear. Seriously, I think in our society that saying someone is a racist is seen as being a greater slight against them than saying they are an axe murderer. It's easier to say, without any proof, that is a more effective way of destroying them. We have some definitions of an "identifiable group" that link back to the Human Rights Act and the Charter of Rights. That strikes me as very clear, and that deals with a very effective kind of potential propaganda to be used. That's the one we should concentrate on.

Thank you very much.

I want to ask you as well about the practicality of trying to implement some of these things. You mentioned provincial models that had been used. You said that some provinces require third parties to provide a telephone number or address for their tag line and that the committee might wish to consider requiring this of third parties. How successful has this been in provincial elections? Have they achieved a high level of compliance, to your knowledge?

Mr. Marc Chénier: I must confess, I don't have an answer on this.

I'll note, though, that in the Ontario general election that's happening right now, some members might have seen an article online on CBC today saying that there are some unregistered third parties that are carrying out online advertising with names that are generic, that don't really identify the group. People are wondering who these people are. There are no leads in how to start even reaching out to them just to make sure they do register if they have reached the $500 threshold.

Mr. Scott Reid: Thank you very much.

The Chair: Thank you.

Now we'll go to Mr. Cullen.

Mr. Nathan Cullen: I may have missed this and my apologies if I did, but do you have powers with respect to investigating on social media? Is there enough in the bill to allow you those powers if groups...?

We have certain rules around newspapers, so-called traditional media, but very few rules...none, really.

Mr. Marc Chénier: The provisions of the act as they are drafted apply to online advertising the same way as they apply to any other type of advertising.

Mr. Nathan Cullen: In your office, do you feel that you have the expertise and power to trace, for example, as you said, in the Ontario election, a shell group that is promoting some party or ideology?

Mr. Marc Chénier: Yes. There's actually a provision in the act and in the Criminal Code. Our investigators are public officers for the purpose of obtaining search warrants or production orders to advance our investigations.

Mr. Nathan Cullen: What do you do with that when it's an ISP address, when it's a foreign-based entity?

Mr. Marc Chénier: Yes. If it's a foreign-based entity, it could raise problems. Again, we might have to resort to an MLAT in order to obtain the information.

Mr. Nathan Cullen: Can you go after the platforms on which these things spread, the social media platforms, for example? If somebody is out...they are foreign-based. You're limited. They're in Russia. You can't go after them.

Is there enough in the act right now to allow you to say to the social media agents that they're spreading misinformation, disinformation, and all of that?

Mr. Marc Chénier: With respect to social media platforms, we have, and we started that even before the last general election. We've reached out to many of them and received their co-operation in a lot of ways.

Mr. Nathan Cullen: Is it voluntary co-operation right now, or is it under the law?

Mr. Marc Chénier: It is, but it's also the courts. The British Columbia Court of Appeal relatively recently decided that a Canadian production order could be enforced to obtain information that's kept outside of the country if there's somebody in Canada, a person or an office in Canada, for that group.

In other words, Facebook has an office in Canada, so we can serve our production order to—

Mr. Nathan Cullen: Facebook Canada.

Mr. Marc Chénier: —Facebook Canada.

● (1955)

Mr. Nathan Cullen: And demand....

Mr. Marc Chénier: That's right.

Mr. Nathan Cullen: That's interesting because one of the concerns we have is this dark money, foreign influence, and the relatively low obligations of the social media companies, which I would argue are at least as influential as, if not more influential than, traditional media in determining opinions, the use of algorithms, and data mining, which is a thing.

How would things have been different under the investigations you ran in the past, say the robocall scandal, if you had had the ability to compel testimony?

Mr. Marc Chénier: I think it probably could have helped.

Mr. Nathan Cullen: For sure.

Mr. Marc Chénier: We do get results. In the robocall case, there was a charge laid. Somebody was convicted.

Mr. Nathan Cullen: It was difficult wasn't it?

Mr. Marc Chénier: Yes, it was.

Mr. Nathan Cullen: Being able to pull the information and find out how databases were acquired.

Mr. Marc Chénier: Absolutely, yes.

If I may give you another example, there was the Charbonneau commission in Quebec, which looked at political contributions that were made through a straw person.

Mr. Nathan Cullen: Yes.

Mr. Marc Chénier: They got results really quickly.

Mr. Nathan Cullen: They are under different rules in Quebec than the rules that you have available to you.

Mr. Marc Chénier: That's right. They have the power to compel in Quebec.

Mr. Nathan Cullen: If you compare the two cases in terms of expediency and in terms of results, you would argue the laws in Quebec that allowed the requirement of testimony...contrast that to the very long—I would say quite drawn out—case with Pierre Poutine and all the rest.

Mr. Marc Chénier: Yes. That's right.

Our investigations take their time because people might not co-operate.

Mr. Nathan Cullen: Are you comfortable with the amount of privacy or the lack of privacy requirements that political parties have right now in terms of our own information that we've gathered on Canadians, and how secure the information is?

The fact that we don't require consent of Canadians...we are not required to inform Canadians about what information of theirs we have.

Mr. Marc Chénier: That issue, I guess, is really beyond the scope of our mandate.

Mr. Nathan Cullen: The reason I ask it is—I realize it might be a scope issue—that when you go through investigations, the protection of data and how data is managed within the parties becomes very relevant to your investigations.

Is that fair to say?

Mr. Marc Chénier: Yes, that's true. There are ways for us to preserve data. We can ask the court for a preservation order to force —

Mr. Nathan Cullen: You can only preserve it if it's there, though.

Mr. Marc Chénier: Sorry?

Mr. Nathan Cullen: You can only preserve it if it's still there.

Mr. Marc Chénier: That's true, yes.

Mr. Nathan Cullen: It's very difficult to preserve data when you don't know how it's used or where it's stored. I believe parties can right now store data out of the country in servers, under Canadian law, which I suspect would present a problem for you because then you would need to get orders to go into that other country to get at the servers. Am I following it properly?

Mr. Marc Chénier: That would be the case, unless there were somebody physically present in Canada who was in control of the information and whom we could serve with—

Mr. Nathan Cullen: I'll just circle back, because we heard some pretty grand theories about what happened in the last election and about how foreign money swayed us. Can you come back to the conclusions of your investigation of the 2015 election?

Mr. Marc Chénier: In terms of election advertising? That's the prohibition—

Mr. Nathan Cullen: That's right.

Mr. Marc Chénier: Last night I think Mr. Hamilton said it was an interpretation on our part that foreign funds could be used for anything other than election advertising, but that's actually the wording of the section in the act. A third party can't use foreign funds to carry out election advertising. That's the limit in the act right now. Looking at that, we found no evidence that this was the case. Third parties in Canada could identify their sources of funding to a large extent. However, again, we didn't have the mandate to look at their other activities that are not—

Mr. Nathan Cullen: Sure, they are expanded under this law.

Mr. Marc Chénier: Yes.

Mr. Nathan Cullen: I appreciate it, Chair. I realize that people may want to get in, so I'll cut my time there.

Thank you very much, Mr. Chénier.

The Chair: Committee members, there are 22 minutes left. I'd like to get your indulgence for a minute.

Here's the budget to date for the witnesses and meals in our study. Are people okay with approving that so the clerk can pay for witnesses' travel and meals? It's just to date; it's not the full study.

Mr. Blake Richards: He doesn't mean that's the extent of it. We can always add to it.

The Chair: There will be more.

Do I have unanimous support to approve the first budget?

Some hon. members: Agreed.

● (2000)

The Chair: Thank you very much. We appreciate that. It's a very important part of this act.

We will suspend. Our witnesses from the first two panels will be back at 8:30, the ones who chose to come back. The others have been given the option to make written submissions if they want.

● (2000)

(Pause)

● (2035)

The Chair: Good evening. Welcome back to the 112th meeting of the Standing Committee on Procedure and House Affairs. We're going back to the second of our four panels.

We have with us John C. Turmel, as an individual, and Brian Marlatt, who is communications and policy director from the Progressive Canadian Party.

We are in the middle of another 30-minute prelude to a vote, so as we did last time, we will try and—well, one round will be easier because the NDP aren't coming. We will try to get in one round of questioning at least, even if the bells go, if that's okay with everyone.

We will do opening statements. Mr. Turmel, we will start with yours.

Mr. John Turmel (As an Individual): As I'm running right now in a Chicoutimi by-election hoping to get in here like you guys, and I'm also running in tomorrow's provincial by-election, and I'm also running for Brantford mayor, that's a hat trick. It's the third hat trick in my career, which is elections 1994, 1995, and 1996. How can I have fun when they say, "super loser fails again"? I'm going to get the guys who beat me to understand what I'm trying to say. To get an invite to come and talk to you guys was an honour.

I did a prepared statement and I will read it to you. Having run more times than you guys, I felt the pains and aggravations a lot more.

The first point is the threshold for auditor. When I first ran federally in 1979—remember Joe Clark won—my accountant was happy with the $250 cap to audit my nil return made easier by a $2,000 threshold on candidate personal expenses before reporting was required. Today, a winner may be challenged for taking a bus to a meeting without declaring the value of the contributed ticket. Get it? You could spend $2,000 on running around and personal stuff and you didn't have to report it in the old days. No auditor.

In Ontario provincial elections, they are doing it wrong. Candidates could sign a declaration avowing no contributions requiring tax credits and did not need an auditor, but to standardize the forms that then require auditors for all candidates with contributions and without, but they paid for the unnecessary auditor. I wasn't paying it. I didn't mind.

However, when my federal accountant retired after 30 years, I used my Ontario accountant and was surprised with a $700 bill, which is reasonable at these rates, when I had only ever paid $250 in the past for 30 years, but the $250 cap left me owing the $450 overage.

I asked the Federal Court to strike the $250 cap that did not keep up with inflation, ever since 1974 unconstitutionally stifling my democratic rights. Justice Phelan ruled I could raise contributions to pay the auditor—not quite political purposes—or save $10 a week from my pension. I appealed it to the Supreme Court, docket number 36937, but it wasn't important enough to be heard.

Now, Ontario has standardized the forms for nominations candidates for parties from no reporting at all to reporting required with an auditor, an unpaid auditor. Any candidate seeking a party nomination must now pay the auditor out of his own pocket, even with a zero return.

Standardize government requirements, sure, but why standardize party requirements? Parties should make their own rules, but the new regulations are now in place to stifle political participation.

An auditor should not be required before a threshold of expenses is reached, which should apply for election candidates too. The Canada Elections Act should not be job creation for accountants.

A famous dictator once said that those who vote don't matter and those who count the votes matter.

Mr. Scott Simms: Point of order.

● (2040)

Mr. John Turmel: With elections becoming computerized—and I'm an electrical engineer—

The Chair: Hold on a second.

Mr. Scott Simms: I'm having a hard time hearing him. We need some silence.

Mr. John Turmel: I provided a written one that you will get, once it's translated—

Mr. Scott Simms: Perfect.

Mr. John Turmel: —but it's more fun if you can hear me, I'm sure. Thank you.

Mr. Scott Simms: It is so far.

Mr. John Turmel: A famous dictator once said that those who count the votes matter.

With elections becoming computerized—and I'm an electrical engineer—hacking becomes inevitable, except for no-fraud ballot receipts.

If I can get a receipt for every coffee I buy, why can't I get a receipt for the most important transaction in my democracy? A serial-numbered receipt of my vote without my name lets me check the list of serial numbers and selections published online on election night to verify that my vote was properly registered, and I have proof in hand should those who matter count the votes wrong. No one need ever fear computerized voting again with checkable ballots. That's all you need. I proposed that two years ago, and they haven't moved.

On equitable free time broadcasting, section 9 of the Broadcasting Act used to mandate that free time political broadcast be made available to all parties and rival candidates on an equitable basis, qualitatively and quantitatively. You can imagine the fun I used to have when I was invited to the debates, and the fun my opponents didn't have. In 1986, the Ontario Court of Appeal struck down that right to fair treatment and allowed the media to give all the free time on public airwaves to whom they preferred. This is verified in Turmel v. CRTC 33319 at the Supreme Court of Canada. When Rogers banned me from a debate for wearing my party button, I complained to the top. I got arrested, and they took me away. There it is, proof positive that the TV stations can allocate free time to whomever they want. While Big Brother gets to bias elections by rigging the debates on public airwaves, democracy cannot exist. We have to handle Big Brother.

I didn't mind the rich guys buying as much time as they wanted, but it was the free time I expected a share of, and now I can't get. At the last three debates in Brantford, I was excluded from all three for the first time in my career. That's what democracy has been coming to in Ontario politics. I don't know about the rest of the provinces, but I certainly hope you guys don't let it become like that federally.

I'll go back to section 9. Of course, then there's a problem with debates involving three party leaders. Imagine 10 party leaders. Could you handle that?

The Chair: Okay.

Mr. John Turmel: How else are you ever going to hear about a new idea? Right now, to be on the debate, you have to be from one of the major parties they see all the time, who you know don't have new ideas.

The Chair: Thank you very much. We appreciate that.

We'd like to welcome the whip here. He's come to monitor the quality of our operations. Thank you.

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Thank you.

The Chair: Mr. Marlatt, thank you for coming back.

I know we've kept you here about four hours, both of you, so we really appreciate your taking this extra time for us.

Mr. Brian Marlatt (Communications and Policy Director, Progressive Canadian Party): Thank you to the chair and to the committee for inviting the Progressive Canadian Party to present important evidence, in our view, concerning Bill C-76, the elections modernization act.

The Progressive Canadian Party is a continuation of the tradition in Canadian politics of a Tory party willing "to embrace every person desirous of being counted as a progressive Conservative", in the words of Sir John A. Macdonald. The PC Party was led, until his recent passing, by the Honourable Sinclair Stevens, who was a minister in the Clark and Mulroney Progressive Conservative governments, and is now led by former PC MP Joe Hueglin.

I'm speaking today as communications and policy chair on the PC Party national council, but I also contributed to the Elections Canada advisory committee of political parties in 2015; again in meetings in 2018, and in fact yesterday; and previously served, before political involvement, as an Elections Canada DRO and Elections BC voting officer and clerk. I hope this experience adds value to our testimony.

Evidence and comments today will be limited largely to implications of Bill C-76 in the context of today's fixed-date election law introduced in 2006, the Fair Elections Act, sometimes described as the voter suppression act by Progressive Canadians, introduced as Bill C-23 in the 41st Parliament, and other proposed electoral reforms that have been part of public discussion of this bill. I welcome questions from the committee in its larger context or details insofar as I may be able to contribute positively to your study of the bill.

As an aside, I will note that because Bill C-76 is important in the evolution of our democracy, vigorous debate in the Senate is likely to follow given the new partisan spirit introduced by appointments in the previous government, which have been moderated but not checked by the new independent advisory committee recommending persons for Senate nomination by the Prime Minister to the Governor General. I have further comments on that. If you wish, we can take care of that in questions.

Change in Westminster parliamentary democracy may be characterized as a balance of continuity and change, of evolutionary trial and error, and at its best when it proceeds by what Renaissance scholar Desiderius Erasmus described as "by little and little". Unexpected consequences can be moderated, and ill-advised choices mitigated or remedied. Bill C-76 is about evolutionary change. The need for progressive evolutionary parliamentary change is suggested by the 42nd general election.

The 42nd general election of Parliament, on October 19, 2015, well illustrates the need for many of the measures recommended in Bill C-76. The 2015 election was the first one honouring the fixed-date election law. The 41st Parliament had seen the parliamentary opposition in effect neutered by the unavailability of parliamentary responsible government by excesses of party discipline in a majority government and the fixed-date election law.

Omnibus bills and limited debate on controversial legislation, including the Fair Elections Act, became the norm rather than the exception. The last year of the 41st Parliament was reduced, arguably, to a campaign to elect the next parliament. By the end of the session, in June 2015, campaigns and campaign spending by parties and third parties were ramped up before rules applying to writ-period spending came into effect. An almost unprecedented 78-day writ period followed in which party spending limits allowed nationally, and in all 338 riding elections, doubled per candidate. Money became key. The distance between public interest and party interest widened, and concern about Bill C-23 voter suppression grew.

I refer you to "Memo on the Fixed Date Election Law, Money and the Corporate Political Party in 2015, and the implications for Smaller Political Parties, and Independents." The written copy is appended to this document.

Many of these concerns were anticipated. The Progressive Canadian Party addressed several of these concerns and proposed remedies, which were discussed in a submission solicited by this committee, PROC, in September 2006, when the fixed-date election law was originated as Bill C-16, and in a submission to the Elections Canada Advisory Committee of Political Parties, ACPP, on election advertising, in which the implications of fixed-date elections were discussed. Both documents are available on the EC website or by request from Elections Canada.

Bill C-76 proposes a new pre-writ period in a fixed-date election, beginning June 30, at the end of the session in the year a fixed-date election is to be honoured, and a maximum limit of a 50-day campaign writ period. We cite the following remarks in the PC Party 2015 submission to Elections Canada by way of guidance on ways in which Bill C-76 may be improved:

● (2045)

> It is widely reported that political parties or candidates are conducting political campaigns well in advance of the writ being dropped to begin the formal election period. At present, there is no limitation on the spending of political parties or candidates outside of the writ period.
>
> In other Commonwealth countries, notably the United Kingdom, political advertising outside of the writ period is subject to legislated "long campaign" and "short campaign" limits administered by the Elections Commission.... EC advice and interpretative instruction for the 2015 election is strongly recommended.
>
> Advertising activities by the Government of Canada and government departments have included public service announcements of programmes "subject to parliamentary approval." Such announcements may be deemed partisan advertisements funded by public monies and taxpayer dollars by the agencies contracting to issue such public service announcements because they concern proposals, generally by the governing party of the day, which have not received parliamentary approval.

While this practice is not strictly election advertising in advance of the writ period, the effect is the same. It is recommended that these practices be qualified and that a pre-writ period in the fixed-date election years be extended to mirror long campaign practices administered by the U.K. Elections Commission. This recommendation would apply if the fixed-date election law is not repealed in the interest of protecting the principle of responsible government at the heart of Canadian Westminister Parliamentary democracy.

The Progressive Canadian Party strongly agrees with the intention and certain of the provisions in Bill C-76, which are intended to reverse the outcomes of Bill C-23, the Fair Elections Act, passed in the 41st Parliament, and to see these corrections as part of the continuity, change, and evolution in Parliamentary practice, by which the unintended consequences or error in previous legislation may be mitigated or remedied. In particular, we commend the restored role of Elections Canada and the Chief Electoral Officer in providing public information during elections and measures to ensure that every qualified Canadian may take part in riding elections of a Parliament in Canada.

We recommend restoring the voter identification card issued by EC as acceptable identification of voters at the polls. We note that in other places and countries, requirements for photo ID and other limitations have had the effect of limiting voter participation and have been described as voter suppression in some sources.

The Honourable Sinclair Stevens, speaking for the PC Party national council in 2014, underscored the seriousness of these concerns, stating that:

> It is the view of the Progressive Canadian Party that Bill C-23, entitled the Fair Elections Act...will betray basic principles of democracy in Canada even if substantially amended. Bill C-23 will deny the right to vote to large numbers of Canadians and as such must be challenged in the courts as unconstitutional...in ways indicated by scholars of Canadian constitutional law and political science published in the national media, Progressive Canadians believe the Fair Elections Act must be rejected as unfair, undemocratic, and deserving of constitutional challenge even in light of amendments which are being recommended by members of the House of Commons and in Senate committee. Bill C-23, the Fair Elections Act is deeply flawed in fundamental ways and for its apparent intent.

The media release from which this is drawn is appended to this document.

Bill C-76 is a welcome remedy for some of the flaws of the Fair Elections Act. We welcome this remedy. Finally, on the margins of debate concerning Bill C-76 can be heard voices calling to revisit the question of electoral reform, which for them means replacing riding-elected MPs in each of Canada's 338 electoral districts according to single-member pluralities or majorities with party proportional representation according to the national or regional party popular vote.

We elect members of Parliament to the Parliament of Canada in riding elections held in each riding separately in a general election of a Parliament when Parliament is dissolved or in by-elections between general elections. We elect members of Parliament, not parties, movements or prime ministers. Party vote, or distributing seats in the House of Commons according to the proportion of votes received by party members nationally, is not relevant.

These facts about Canadian electoral practices are consistent with the constitutional architecture of Canada and with Canadian realities of space and population. Diversity of interest and of opinion, even within party groups, often varies widely in distant parts of Canada. The view in the north, the coasts, the prairies, and the industrial heartland can vary considerably in ways of party discipline, whether formal or as a part of movement politics, yet it is not reflected in party proportional representational systems.

We strongly advise that the debate on Bill C-76 not be distracted by those who purpose to achieve partisan advantage by advocating for systems of party proportionality regardless of the merit of the movement or party view they may represent. Democratic rights and objectives are not achieved, sustained, or protected by changing the system to achieve partisan advantage; they are achieved by the power of persuasion and a willingness to do the hard work of achieving democratic societal consensus.

● (2050)

I'd like to thank the committee for taking the time to consider our representation and my remarks. I hope they will help to guide you in meaningful debate and conclusions toward modernization of Canadian elections. There are documents appended to this, which you may find expand upon some of these issues that time here may not have provided for. I thank you again.

The Chair: Thank you both, as I said, for waiting for about four hours.

As we agreed, we will have one questioner from each party, and then conclude our hearings for the day.

Mr. Simms.

Mr. Scott Simms: Mr. Turmel, there's a fisherman I know in Newfoundland. I'm from Newfoundland, by the way.

Mr. John Turmel: I've never run there yet.

Voices: Oh, oh!

Mr. Scott Simms: Don't think we're not waiting for it.

Mr. John Turmel: Call a by-election.

Mr. Scott Simms: All right, or in my case a bye-bye-election, right?

There's a fisherman in Newfoundland. He owns three boats. I asked him once, "Are you busy?" He said, "I'm busier than a dog who lives in a parking lot full of fire hydrants." You're a busy man.

I have one question, which has been on my mind since you walked in the door. You're running now concurrently in three elections.

Mr. John Turmel: For the third time in my career.

Mr. Scott Simms: Right. If you win all three, which one do you do?

Mr. John Turmel: Okay.

Mr. Scott Simms: Well, I had to ask.

Mr. John Turmel: Yes, People laughed at me when I said I could get elected and retire the next day.

Mr. Scott Simms: I ain't laughin'. Well, if you run against me, I'm not laughing anymore.

Mr. John Turmel: All right. If I get elected provincially, I can do something and retire the next day. If I get elected federally, I can do something and retire the next day—and globally, too. For prime minister of the planet, I'm the only declared candidate. What is it? How do I get 20 signatures an hour in Chicoutimi where nobody knows me, so that the media are astounded that I could be signed up in a day? How do I do that?

● (2055)

Mr. Scott Simms: How did you do that?

Mr. John Turmel: Well, I walked up to people and said, "Have you ever heard of a time bank?" "No." This software I financed almost 40 years ago allows single unemployed parents to log on what nights they can double-duty babysit each other's kids, and then pay each other with one-hour bills even when they're broke.

Mr. Scott Simms: Does that allow you to run in three campaigns?

Mr. John Turmel: Would you sign my paper to let me explain this to the voters?

Mr. Scott Simms: I'll see your question with a question.

Mr. John Turmel: They say yes, yes, yes. That's why it's fun for me to run in elections, because the people I explain the time bank system to walk away dazzled. It's easy for me. I don't get on the TV station to explain it to the voters, but the 150 people who signed for me got a personal explanation of why I'm running. I want to get this software installed and then my job is done.

When you have enough money, name me a problem you have left.

Mr. Scott Simms: Oh, I got problems.

Mr. John Turmel: Well, no, you don't.

Mr. Scott Simms: This could take a long time.

Mr. John Turmel: You don't.

Mr. Scott Simms: I'm going to move to Mr. Marlatt for now, but I'll be back to you in second, though, especially if you're running against me. That's fine.

Mr. John Turmel: Okay.

Mr. Scott Simms: Mr. Marlatt, I appreciate the work that has gone into your report here. You're obviously not a fan of Bill C-23, to say the least, and I like what you had to say about not letting us get distracted by things and having us focus on the changes that need to be made, and then down the road we can discuss that even further.

I want to go back to something you said. I didn't quite get the whole thing, but there was something, a recommendation by the U. K. commission. Is that right?

Mr. Brian Marlatt: The Electoral Commission in the United Kingdom has established a base by which there is a long campaign and a short campaign period of auditing of all expenses by political parties.

Mr. Scott Simms: Right.

Mr. Brian Marlatt: We are, in Bill C-76, proposing that auditing in a new pre-writ period begin with June 30. This is a period of time that is basically the summer months in advance of the dropping of the writ, a maximum of 50 days before the call of the election. That, I don't think, is sufficient. There is an opportunity for third parties, for political parties themselves, for the government by way of advertising programs that are subject to parliamentary approval—that is to say, if we get elected again—

Mr. Scott Simms: That's the part I couldn't quite catch at the beginning. What you're advocating for, then, is an extended pre-writ.... You're okay with the pre-writ period concept, obviously.

Mr. Brian Marlatt: I am with the concept that it needs to be made more effective by making it long enough so that it's not simply, in effect, that when the session ends here in June, the summer months become open season for politics. It's a useful idea to have that period subject to Elections Canada review and so on, but I think, as in the case with the U.K., the longer period also needs to be examined. In the event of a fixed-date election, the last full year of an election cycle is really where we see things being ramped up.

If you think about 2014-15, October 2014 was, in some respects, the beginning of the October 19, 2015, election. There was a huge movement to partisan statements that had very little to do with the public interest and public policy. They had to do, really, with getting ourselves re-elected.

Mr. Scott Simms: In the context of what? Do you mean here on Parliament Hill or—

Mr. Brian Marlatt: I think everything that happened—

Mr. Scott Simms: Everything, all discourse—

Mr. Brian Marlatt: I think what was happening in the House of Commons and what was happening in the parties outside of Parliament Hill was all targeted toward October 19, 2015.

Mr. Scott Simms: Do you think by expanding the definitions from what was prior—the election activities, the advertising, the election survey information, and the money spent to do all three—is that a very positive advance going forward, given the fact of what encompasses political campaigning?

Mr. Brian Marlatt: The concept that's driving the notion that June 30 should be the beginning point for Elections Canada auditing of expenses is a good one, but because we see that, in effect, it's beginning well before that, some oversight is required for a longer period. The period, and even the method—the Electoral Commission in the U.K. provides us an example—is worth investigating.

In looking at the implementation of Bill C-76, discussions with the Electoral Commission in the U.K. would be advisable, just as we did with the report of the McGrath Special Committee on Reform of the House of Commons. It's the same concept.

Mr. Scott Simms: I see. I was wondering where the link was going, because I know that was specifically for the House of Commons, not necessarily for.... You're linking it through what the U.K. commission recommends.

This question is for both of you, on identification and the voter information cards. Certainly, Mr. Turmel, you've seen what it looks like.

● (2100)

Mr. John Turmel: No, actually, but anything is good for me. I love ID.

Mr. Scott Simms: We're now reinstating the voter information card—as a part, but not the only part—as a backstop to identification.

I want to get your thoughts on that, Mr. Marlatt.

Mr. Brian Marlatt: If you look at my historic past.... Before political involvement, I was a DRO in two federal elections—1993 and 1997. I've acted as a voting clerk and a voting officer with Elections BC, and subsequently in provincial elections, including the last one in 2017.

One of the things they use there, as we always have, was the voter elections card or its provincial equivalent. That, in conjunction with another piece of ID that can be provided—and there are various categories in which that applies—as opposed to insisting upon a kind of identification that some classes of people simply don't have. Sometimes they're students. Sometimes they are people in northern communities or aboriginal people. These people are marginalized. I don't want to press this too hard, but in the United States, where there is an active—at least according to the media—exercise of voter suppression, getting rid of something like the voter identification card seems to have been a key part of what they were doing.

We don't need voter suppression in Canada. We need voter participation. Reinstating this, and public education on the part of the Chief Electoral Officer and Elections Canada, are important things that were removed in Bill C-23 that Bill C-76 proposes to return. I commend that.

The Chair: Thank you.

Before we go on, I want to ask Mr. Turmel, how many elections did you run in and how many did you win?

Mr. John Turmel: I haven't won any yet.

The Chair: How many did you run in?

Mr. John Turmel: I ran in 96, so I lost 92 and won.... The Guelph by-election was called off for the federal election, so that doesn't count as a loss. My loss record is always less than my wins, but the media always mentions "biggest loser". I am the biggest contestant, too.

The Chair: Mr. Reid, you can question your witness.

Mr. Scott Reid: Thank you.

You indicated we had one questioner per party. I think what you meant was one seven-minute slot. Would it be acceptable if I split my time with Mr. Kelly?

The Chair: Yes.

Mr. Scott Reid: Thank you.

Mr. Blake Richards: You have six minutes to go.

Mr. Scott Reid: I wanted to ask Mr. Turmel this question. I grew up in Ottawa. You've been a fixture on the Ottawa scene since I can remember, and I'm old. Have you ever been a witness at a parliamentary committee before?

Mr. John Turmel: No.

Mr. Scott Reid: This is the first time.

Mr. John Turmel: Yes, that's why it was such an honour. I'm trying to get in, or have a winner understand what I'm saying. To be invited was nice. You're a bunch of winners.

Mr. Scott Reid: I just want you to know that my own experience was that I was invited to testify as a witness before this very committee in March 2000, and I was first elected to the House of Commons in November, so this may be a sign of things to come. That's a true story.

Voices: Oh, oh!

Mr. Scott Simms: [*Inaudible—Editor*] my riding.

Mr. Scott Reid: You raised the issue of getting some kind of receipt for casting your ballot. While I think you point to a legitimate problem, I want to ask this question. I think there's already a legitimate and effective solution, which is that although your ballot itself is anonymous, when it's torn off, there is what they call a counterfoil on it—a stub. That counterfoil matches up with a number that's left behind with the officer who tore it off and gave it to you when you—

Mr. John Turmel: Excuse me, are you telling me there are already numbers on the paper? I want a piece of paper with the number; I don't want an online number that they can change.

Mr. Scott Reid: No, it's not online. It's a piece of paper—

Mr. John Turmel: All right.

Mr. Scott Reid: —called a counterfoil. It's actually written up in the legislation, but the next time you go in to cast a ballot—are you going to be in Chicoutimi for the election, to cast a ballot?

Mr. John Turmel: Am I going to what?

Mr. Scott Reid: Are you going to be back for the by-election? You can cast a ballot.... I guess you don't have residency, so you can actually...

● (2105)

Mr. John Turmel: No, I live in Brantford and I can vote for mayor, and I live in Brant and I can vote for member of—

Mr. Scott Reid: Yes, if you're a contestant in a riding—

Mr. John Turmel: —but not Chicoutimi.

Mr. Scott Reid: No, you don't live there, but if you're a contestant, a candidate, you can vote in the riding. If you go there, you'll have the chance to cast your ballot and see the actual—

Mr. John Turmel: No.

Mr. Scott Reid: What if it's the MP?

Mr. David de Burgh Graham: You have to be a Hill MP.

Mr. Scott Reid: I'm sorry. That'll be the one after.

Voices: Oh, oh!

Mr. John Turmel: All right, okay. That makes sense, though, doesn't it. Yes.

Mr. Scott Reid: Yes, you're right. I did not live in my own riding. I lived just a little bit outside at one point, and I was able to vote on that basis, and every other member of my family, too. It was section 10, I think, of the act.

The counterfoil, I believe, serves that purpose.

Mr. John Turmel: No. How does that reassure me that I can scream alarm if it doesn't match? Who knows about the counterfoil except the guy in the computer room?

Mr. Scott Reid: It predates computers, actually.

The Chair: There's one minute left.

Mr. Scott Reid: You know what? This is halfway through, so maybe it's time for me to stop and turn things over to my colleague Mr. Kelly.

Mr. John Turmel: Oh, that's such a good—

Mr. Scott Reid: I wanted to say thank you very much. I've been following you since I was knee-high to a grasshopper—

Mr. John Turmel: Okay.

Mr. Scott Reid: —and now I've been able to meet you, so thank you.

Mr. Pat Kelly: Thank you to our witnesses here.

Mr. Turmel, I took it from your presentation—and I appreciate that you were trying to get quite a lot of information into that—that you're rather down on some of the challenges around filing and restrictions on candidates, particularly as an independent candidate. Did I catch that correctly?

Mr. John Turmel: No, I was talking about not having a threshold or being excluded from free-time political broadcasting. Free-time political broadcasting used to be fair. I never used to complain unless a station didn't let me on. If you look back in the court cases, yes, you'll see that every time they didn't let me on, I complained to the CRTC, then to the courts.

Recently I can't complain because it's legal for them to exclude me. I'd love you to go back to fix that one.

The one I meant was that you need a threshold, because as I say, I could be busted for going to Chicoutimi if I want to file a zero return, because somebody can ask how I paid for the gas. In the old days, I got $2,000 personal expenses, no contributions, but I can buy my bus ticket or my gas to get there.

Mr. Pat Kelly: Okay, you've made it a matter of—

Mr. John Turmel: Threshold.

Mr. Pat Kelly: —policy to enable yourself to incur no expenditure and thus not—

Mr. John Turmel: Yes.

Mr. Pat Kelly: —have to file and then have the requirement of an audit—

Mr. John Turmel: That's right. I want to go to the meetings. That's my duty as a candidate, but I'm not knocking on doors, and I should have a threshold before it needs to be audited.

Mr. Pat Kelly: Would you say that it's somewhat onerous and perhaps a barrier to an independent candidate, or a candidate from a small party, for that matter?

Mr. John Turmel: Yes.

Mr. Pat Kelly: Okay, thank you.

Maybe I have time for just one more question.

In the bill before us, critics of the bill—including me and probably other members of my caucus—have concerns around the issue of third party funding and the ease with which foreign sources of funds are mingled in with third parties and then spent during election campaigns.

Do you have any concern about the way third party funding and third party money impacts elections in Canada?

Mr. John Turmel: No, I think you're doing well in trying to stamp it out and corral it and make sure it doesn't happen. You can only do so much.

I'm interested in what affects the little candidate who is not going to cheat, but he just doesn't want to have to hire an auditor to do his bus ticket.

Mr. Pat Kelly: I can certainly identify with that.

The Chair: We could get Mr. Marlatt to answer that question too.

Mr. Pat Kelly: Certainly, go right ahead.

Mr. Brian Marlatt: I lost the thread of all that, but I will point out with respect to the matter of free-time election advertising broadcasts, if you check with the Chief Electoral Officer I think you will find that it's not exactly as he described but rather that there is a provision for free-time political advertising for all political parties. It's a finite amount and it could be broadcast at any time of the day. It could be three o'clock in the morning.

Mr. John Turmel: Why was I arrested and taken away?

Mr. Brian Marlatt: You can have a chat with the Chief Electoral Officer and examine it.

Mr. Pat Kelly: I was asking about third parties and the way third parties spend money. A number of third parties, each third party, non-political parties are not candidates for elections but....

● (2110)

Mr. Brian Marlatt: Quite. There are provisions within the Canada Elections Act by which third party spending is regulated. There is provision now for covering pre-writ and writ period and third party election spending, presuming this legislation will pass. However, one of the things that I think should concern us equally is that political parties, the Manning Centre, and the Centre for Policy Alternatives and the Liberals have a similar presence wherein they draw from people outside Canada to direct them as to how their political efforts should be framed in terms of policy and the extent to which they represent Canadian interests. Canadian Westminister parliamentary democracy, I think, is being lost by that. The ways in which questions are phrased and the way we campaign are being directed more around the nature of highly partisan American red and blue state dramatics.

Mr. Pat Kelly: Does it concern you that this bill does nothing to address that foreign funding issue?

Mr. Brian Marlatt: I don't know that it concerns me. I think it could be in a separate bill going forward.

The Chair: Thank you.

For our last intervention, Mr. Cannings, you can have seven minutes. We still have 23 minutes until votes.

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Thank you both for being here. I regret that I came in late and I missed your presentations, or at least I certainly missed all of yours, Mr. Turmel. It seems I must have missed something quite interesting. I'm not sure what to ask you.

Mr. Marlatt, you don't seem to be a fan of Bill C-23 from the previous Parliament, the Fair Elections Act.

Mr. Brian Marlatt: No.

Mr. Richard Cannings: I'm wondering if you could comment for my benefit at least on what you think this present bill achieves in fixing those shortcomings and what [*Technical difficulty—Editor*]

Mr. Brian Marlatt: [*Technical difficulty—Editor*] the role of the Chief Electoral Officer and Elections Canada in educating and presenting information to the public during an election. Those are the two principal ones I referenced here. As far as Bill C-23 is concerned, I should draw to your attention—and you'll find it appended to this document when you see it in the French and English translation which will be available in a couple of days—that on the recommendation of the Honourable Sinclair Stevens we were going to bring a constitutional challenge to Bill C-23 before the Federal Court and the Supreme Court of Canada, costing a retainer of $350,000, we found.

We talked to the Council of Canadians and the Canadian Federation of Students, which felt that Bill C-23 was suppressing their voting opportunities. The answer we got back from the Council of Canadians, frankly, was that they preferred to go through their own lawyers, through a provincial court. I thought of that as nothing more than a photo op, and that's ultimately what it proved to be.

I am pleased that some of the greatest concerns we have about Bill C-23 are being addressed in this legislation. As you consider the bill I hope you will put the two things together and see what further things you feel should be a part of the way you address it, and things that need to be remedied that we've not identified.

Mr. Richard Cannings: Were the court challenges you talked about going to concentrate mainly on the voter suppression aspects of Bill C-23?

Mr. Brian Marlatt: Principally.

Again, we did not get to the point of having extended conversations with a constitutional lawyer about that, because the thing passed, in terms of time and so forth. We've had another election since then, with a new government being elected, which considered redressing some of these concerns and is doing so.

I will tell you, and I think this is public knowledge, that in the ACPP meetings on June 8 and 9 of 2015, immediately before the last election, one of the key focuses was on how the changes brought by Bill C-23 could be implemented effectively without influencing the election and that there would probably be a statement by the Chief Electoral Officer afterwards, as I recall and understand what he had said at the time.

Does that help with your question?

● (2115)

Mr. Richard Cannings: Yes.

I want to go on to some of your comments about the pre-writ period as it's drawn up in this legislation, and also bringing in the third party funding questions.

It's my understanding—I don't have any notes in front of me; I was kind of brought down from the House to fill in here—that the limit for third party funding in that pre-writ period is either $1 million or $1.5 million.

Mr. Brian Marlatt: I think it was $1.5 million.

Mr. Richard Cannings: Do you think that is too much? Do you think that gives third parties too much influence, to spend that kind of money during the pre-writ period?

Mr. Brian Marlatt: Well in the scheme of things, it's not a lot of money these days. You can buy a car maybe for half a million dollars.

Mr. Richard Cannings: I know.

Mr. Brian Marlatt: It really depends on how these things are viewed.

I mean, social media campaigns don't cost a lot, but they're loud, they're vocal, and they're often unrepresentative. That's a form of advertising in a way, but it is not—quote, unquote—"advertising".

There are things that external movements and groups can do to influence election results unfairly. Today, Bill C-45 is being debated in the Senate. There's a very large lobby, which I think has shaped the debate around the issues that Bill C-45 raises. Is that measured by knowledge and science, or is it measured by how social media and campaigning by people who want to benefit financially from the legalization of marijuana want to represent themselves? Do we do that in an election period, and is that fair representation to Canadians?

Those are questions that I think need to be asked when we look at what third parties actually do in the pre-writ period. However, controls by Elections Canada—"controls" is the wrong word—let's say, administration by Elections Canada, I think is helpful.

Mr. Richard Cannings: Do you have any thoughts on social media and third parties and election campaigns that you would put in legislation, or is just the general worry?

Mr. Brian Marlatt: Social media advertising is one thing, and that's a paid advertisement. It's knowing where things come from. Obviously if that's coming from another country, let's say, to give a good example, the NRA in the United States, it has had a significant influence on the perception by some people about the rights of gun ownership. That will address legislation that's coming forward. It also addressed the repeal of the long-gun registry, I believe.

What is said there is sometimes true and sometimes it's not. There has to be, it seems to me, some way in which we can have some responsibility for truth telling. How do you do that? That's something for legislators to work out. Mind you, if you want to hire me for a study, I'll be happy to do that.

The Chair: Thank you very much.

I'm going to use the prerogative of the chair to give Blake 15 seconds to ask his witness something.

Mr. Blake Richards: I want to ask Mr. Turmel if he'd ever run for a party leadership, because it sounds like there might be an opportunity. You might want to chat with your neighbour next to you there.

Mr. John Turmel: Well, in 1993, if you're asking your friend, I was busted running the biggest underground casino in history, with 28 tables on St. Laurent Boulevard. I had to spend a million bucks before they took it away as proceeds of crime. So I founded a political party, the Abolitionist Party, anti-slavery—we're going to get rid of the debt slavery—and ran more candidates than the Greens. Guess what? Running for prime minister got me invited to the UN in 2000 as an NGO. I got invited to do the speech on banking, because they'd heard of LETS, the software of time banking, and, would you believe, the millennium declaration said we're going to restructure the global financial architecture with an alternative time-based currency some day.

The Chair: Thank you.

Mr. John Turmel: I've learned to pack the information into a short time.

The Chair: Mr. Graham.

Mr. David de Burgh Graham: I'll ask you a very short question. Have you ever run to win?

Mr. John Turmel: I always run to win, but then once I install the software.... Look, Mr. Spock never needed help from the slows to reprogram a central computer and save a planet, and neither do I. Then I can retire.

Mr. David de Burgh Graham: It may be that you're still using a three and a half inch floppy disk.

● (2120)

Mr. John Turmel: I know. That's how long I've been pushing it.

The Chair: Committee members, we will reconvene tomorrow at 10 a.m. in the Wellington Building because of the video conference.

To the two of you, thank you for your patience today. I know you came in at 3:30 p.m. or 4:30 p.m., so thank you very much.

Mr. John Turmel: That was fun.

The Chair: The meeting is adjourned.

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